

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF JEFFERSONVILLE, KENTUCKY)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 97-377
)	
MONTGOMERY COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

O R D E R

The Commission, on its own motion, HEREBY ORDERS the City of Jeffersonville, Kentucky ("Jeffersonville") to submit a written memorandum within 30 days of the date of this Order addressing the following questions:

1. Why, based upon the holding of Board of Education of Jefferson County v. William Dohrman, Ky.App., 620 S.W.2d 328 (1981), Jeffersonville's Complaint should not be dismissed for failure to state a cause of action?
2. Assuming that the contract to which Jeffersonville refers in its Complaint has never been filed with the Commission, what legal right, if any, does Jeffersonville have to the contract rate in light of KRS 278.160?

Done at Frankfort, Kentucky, this 22nd day of January, 1998.

PUBLIC SERVICE COMMISSION

ATTEST:


Executive Director


For the Commission